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IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

PEDRO REYES-BURGADO

CIVIL ACTION

V.

MICHAEL OVERMYER, et al.

No. 18-0155

**FILED**

DEC 17 2018

KATE BARKMAN, Clerk  
By \_\_\_\_\_ Dep. Clerk

ORDER

AND NOW this 14<sup>th</sup> day of December, 2018, upon careful and independent consideration of the petitioner for writ of habeas corpus, and after review of the Report and Recommendation of United States Magistrate Judge Elizabeth T. Hey IT IS ORDERED that:

1. The Report and Recommendation is APPROVED AND ADOPTED.
2. The petition for writ of habeas corpus is DISMISSED WITHOUT PREJUDICE AS UNTIMELY FILED.
3. There is no basis for the issuance of a certificate of appealability.

BY THE COURT:

  
WENDY BEETLESTONE, J.